

Michael J. Friedman
WINSTON & STRAWN LLP
200 Park Avenue
New York, New York
Tel: (212) 294-6700
Fax: (212) 294-4700
Counsel for Abbott Laboratories

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
: 1:07-CV-05634-AKH-DFE
DR. ANTHONY CERAMI, :
: **NOTICE OF MOTION**
Plaintiff, :
:
- against - :
:
NOVARTIS AG and NOVARTIS VACCINES :
AND DIAGNOSTICS, INC., :
Defendant. :
----- X

**NOTICE OF ABBOTT LABORATORIES' MOTION TO INTERVENE FOR THE
LIMITED PURPOSE OF REQUESTING A PROTECTIVE ORDER**

PLEASE TAKE NOTICE, that upon the Declaration of attorney Kevin E. Warner dated November 16, 2007 and exhibits annexed thereto, and upon the accompanying proposed protective order and memorandum of law, Abbott Laboratories ("Abbott"), by and through its attorneys Winston & Strawn LLP, will move this Court on Thursday, December 13, 2007 at 10:00 a.m., or at such other time as the Court may direct, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, in Courtroom 14D, for an order pursuant to Fed. R. Civ. P. 24(a), or alternatively pursuant to Fed. R. Civ. P. 24(b), permitting Abbott to intervene in this action for the limited purpose of requesting a protective order, and for

an order pursuant to Fed. R. Civ. P. 26(c)(1), (7) granting Abbott a protective order barring the production to plaintiff herein of certain confidential information held by the defendant herein.

Answering papers, if any, must be served on or before December 5, 2007.

Dated: New York, New York
November 16, 2007

Respectfully submitted,

/s/ Michael J. Friedman

Michael J. Friedman
WINSTON & STRAWN LLP
200 Park Avenue
New York, New York
Tel: (212) 294-6700
Fax: (212) 294-4700

Counsel for Abbott Laboratories

TO: Barry Brett, Esq.
Troutman Sanders LLP
405 Lexington Avenue
New York, NY 10174

Counsel for Dr. Anthony Cerami

William Kuhne, Esq.
MORRISON FOERSTER
1290 Avenue of the Americas
New York, NY 10104

Counsel for Novartis AG et al.

CERTIFICATE OF SERVICE

I, Kevin E. Warner, hereby certify that on this day, November 16, 2007, I caused a true and correct copy of the foregoing document to be served via e-mail upon the following:

Barry Brett, Esq.
Troutman Sanders, LLP
405 Lexington Avenue
New York, NY 10174
Barry.brett@troutmansanders.com

Counsel for Dr. Cerami

William Kuhne, Esq.
Morrison Foerster
1290 Avenue of the Americas
New York, NY 10104-0050
WKuhne@mofo.com

*Counsel for Novartis AG and
Novartis Vaccines & Diagnostics*

/s/ Kevin E. Warner
Kevin E. Warner